

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
HEDSTROM CORPORATION,)	
)	
Plaintiff,)	
)	Civil Action No. 03-12308 PBS
v.)	
)	
JUMPSPORT, INC.,)	
)	
Defendant.)	
_____)	

**DECLARATION OF CHRISTINE A. AMATRUDA IN SUPPORT OF
DEFENDANT JUMPSPORT, INC.'S REPLY BRIEF IN SUPPORT
OF MOTION TO DISMISS PURSUANT TO F.R.C.P. 12(b)(1)
12(b)(2), 12(b)(3) and 28 U.S.C. § 2201, OR TO TRANSFER PURSUANT
TO U.S.C. § 1404(a)**

I, Christine A. Amatruda, declare:

1. The following declaration is based on my personal knowledge, unless otherwise stated, and if called upon to testify, I could testify competently as to the matters set forth herein.
2. I am an attorney at Townsend and Townsend and Crew, counsel for Defendant JumpSport, Inc. ("JumpSport") in this action. I have been admitted *pro hac vice* in this Court. JumpSport is also represented in this lawsuit by local counsel Gregg Shapiro of Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, MA 02109.
3. On March 18, 2004, United States District Judge Phyllis J. Hamilton issued Findings of Fact and Conclusions of Law; Order On Post-Trial Motions; and Judgment in the first infringement action, *JumpSport, Inc. v. Jumpking, Inc., et. al*, Northern District of California civil action no. 01-4986. The Court found in favor of JumpSport, and against Hedstrom

Corporation and other defendants, on their declaratory relief counterclaims of patent invalidity and unenforceability based on inventorship and inequitable conduct.

4. During the discovery process in the first infringement action, Hedstrom required JumpSport's counsel to travel to Pennsylvania to depose witnesses and inspect products, on the ground that it was more convenient for the witnesses and Hedstrom to conduct discovery in Pennsylvania rather than Massachusetts.

I declare under penalty of perjury under the laws of the State of Massachusetts and the United States of America that the foregoing is true and correct and that this declaration was executed on this 25th day of March 2004 in San Francisco, California.

/s/ Christine A. Amatruda
CHRISTINE A. AMATRUDA